

Department of Environmental Protection and Resource Management  
105 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of  
Patrick Leyden  
Respondent

Civil Citation No.70718  
2915 Liberty Parkway

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on January 6, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312, 13-4-201 (b)(d), failure to remove trash, failure to store trash/garbage in cans with tight fitting lids on residential property known as 2915 Liberty Parkway, 21222.

On November 11, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Josip Perusovic issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$800.00 (eight hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on November 4, 2009 for removal of junk and debris, and proper storage of garbage in cans with tight lids. This Citation was issued on November 19, 2009.

B. Photograph in the file taken November 19, 2009 shows a full garbage can with no lid, bagged garbage on the ground, and trash and debris on the ground. A photograph taken when the property was re-inspected on January 4, 2010 shows a can overflowing with bagged garbage and no lid. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats.

C. Review of the administrative file for this property shows that Respondent has been issued multiple notices for the same violations during 2009 and 2008. This Citation will be enforced and a civil penalty assessed. Respondent must keep the premises clean of trash and garbage, and keep all garbage properly stored in cans with tight lids, or be subject to additional Citation for violations.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$100.00 (one hundred dollars).

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 14<sup>th</sup> day of January 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer